

REMARKS**I. Claim Status**

Claims 1, 2, 5-14, 18-20, 22, 35, and 54 are pending.

Claims 3, 4, 15-17, 21, 23-34, and 36-53 have been canceled.

Claims 1-2, 5-14, 18-20, 22, and 35 have been amended.

Claim 54 is new.

II. Claim Objection

Claims 6-20, 22, and 35 were objected to as being in improper form as a multiple dependent claims can not depend from multiple dependent claims. Applicants have amended the claims to remove all multiple dependencies.

Claim 3 was objected to for reciting non-elected inventions. Claim 3 has been canceled. Applicants have canceled all non-elected claims, without prejudice, but reserve their right to file subsequent applications covering the canceled subject matter.

III. Rejection Under 35 U.S.C. § 102

Claims 1-5 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Lerman et al. (United States Patent No. 6,441,156).

Lerman et al. disclose $\alpha_2\delta$ subunits and nucleic acid sequences encoding them. Specifically, Lerman, et al. disclose SEQ ID NO: 4, the full length human $\alpha_2\delta_2$ sequence, which is the same as SEQ ID NO: 20 of the present application.

Claim 1, as amended, specifically defines soluble $\alpha_2\delta_2$ subunits which have a C-terminal truncation with respect to the complete δ peptide and which retain the functional characteristics of the full-length or wild-type $\alpha_2\delta_2$ subunit from which it is derived. Lerman et al. do not disclose an $\alpha_2\delta_2$ subunit having the claimed structure and characteristics.

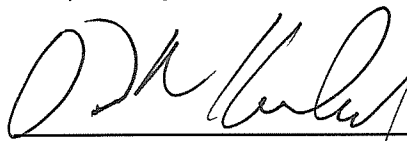
Because the claimed subunits are structurally different for the subunit disclosed in Lerman et al., Applicants respectfully submit that claim 1-5 are not anticipated by Lerman et al. and reconsideration is respectfully requested.

IV. Conclusion

In view of the amendments and remarks made above Applicants believe that this application is in condition for allowance. Reconsideration and allowance of claims 1, 2, 5-14, 18-20, 22, 35, and 54 is respectfully requested.

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Respectfully submitted,



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